

## REMARKS

In this amendment, the Applicants have cancelled Claims 4 and 16-34 without prejudice.

### Claim Objections

The Examiner has objected to claim 8 under 37 CFR 1.75(c), as being of improper form for failing to further limit the subject matter of a previous claim. Applicants wish to thank the Examiner for bringing this issue to their attention. In response, Applicants have amended claim 8, substituting “output” for the previously recited “input”. Support for this limitation is found in the specification in ¶ [0031], line 3. Accordingly, no new matter has been added.

It is submitted that Applicants’ foregoing amendment of claim 8 has obviated the objection to this claim set forth by the Examiner in the outstanding Office Action. Consequently, reconsideration and withdrawal of the objection to claim 8 under 37 CFR 1.75(c) is respectfully requested.

### Rejection of Claims 2-15 Under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 2-15 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. With particular reference to claim 2, the Examiner has noted that there is insufficient antecedent basis for the “the slots” limitation recited in line 4 of this claim. In response, Applicants have deleted the phrase “the slots” in its entirety by the foregoing amendment of claim 2. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 2 under 35 U.S.C. § 112, second paragraph.

With regard to rejection of claims 3-15 under 35 U.S.C. § 112, second paragraph, Applicants submit that claims 3-15 are no longer subject to such rejection because the rejection of these claims resulted solely from their dependence upon claim 2. Because, as set forth above, claim 2 has been amended to overcome the outstanding indefiniteness rejection, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 3-15 under 35 U.S.C. § 112, second paragraph.

Rejection of Claims 1 and 2 under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,389,493 issued to Barkley et al. (hereinafter “Barkley”). Applicants respectfully request reconsideration and withdrawal of this rejection for the following reasons.

To better reflect the invention disclosed in the original application, Applicants have amended independent claim 1 by specifying, in pertinent part: “...and each personality module may reside in any slot and in any combination.” (Emphasis added.) Barkley neither teaches nor suggests wherein the personality modules of the system disclosed therein may reside in *any* slot and in *any* combination. This aspect of the instant invention permits a more effective utilization of system bandwidth than is possible in bus management systems, such as that taught by Barkley, which do not permit their personality modules (or slave cards) to reside in *any* slot and in *any* combination. Configuring a multiplexing/demultiplexing system or allocation module such that high- and low- bandwidth personality modules may reside in *any* slot and in *any* combination, of necessity results in a comparative increase in the efficiency with which system bandwidth is utilized (as compared to a system or module not so configured), especially in, for example, very high bandwidth applications.

Because Barkley neither teaches nor suggests the above-described distinguishing feature recited in claim 1 as amended, Applicants submit that this amendment removes all grounds for the outstanding rejection of claim 1, and respectfully request reconsideration and withdrawal of this rejection and timely allowance of this claim. Support for the amendment of claim 1 may be found in the specification as follows: “...wherein at least two of said personality modules have different bandwidth requirements” ¶ [0009]; “...a plurality of slots adapted to removably receive different personality modules” ¶ [0010]; “wherein each of said slots is connected to said allocation module by a separate transmission channel in said plurality of transmission channels” ¶ [0023]; “wherein allocation of bandwidth to said personality modules is dynamic with respect to both changes in types of personality modules in said plurality of slots” ¶ [0024]; “and changes in bandwidth requirements of each personality module at different times” ¶ [0026]; “and each personality module may reside in any slot and in any combination.” ¶ [0010]. Accordingly, no new matter has been added by the amendment of claim 1.

With regard to the rejection of claim 2, it is Applicants' position that Barkley no longer anticipates Claim 1 as amended herein, and therefore cannot anticipate dependent claim 2 for the reasons just discussed. Accordingly, Applicants respectfully request reconsideration of this rejection.

Rejection of Claims 3, 5, and 6-15 under 35 U.S.C. § 103(a)

Claims 3 and 5 stand rejected as being unpatentable over Barkley. However, as discussed hereinbefore, the Barkley patent does not teach or suggest every limitation of claim 1, which is the only independent claim in the instant application. For this reason, Barkley neither anticipates nor renders obvious claims 3 and 5. Accordingly, Applicants respectfully request reconsideration of the rejection of these claims.

Claims 6-15 are also alleged to be unpatentable under 35 U.S.C. §103(a) over the Barkley patent in view of U.S. Pat. No. 5,796,729 to Greaney et al. (hereinafter "Greaney"). However, this combination of references cannot render claims 6-15 as amended obvious, because: (1) claims 6-15 ultimately depend from claim 1; (2) Barkley fails to teach or suggest every limitation recited in claim 1 as amended; and (3) and the distinguished limitations are not taught by Greaney. As such, the combination of Barkley and Greaney cannot render the recited claims obvious, because this combination of references still fails to teach or suggest every element of the claims of the subject application.

Appl. No. 10/080,301  
Amdt. dated August 22, 2006  
Reply to Office Action of February 23, 2006

## SUMMARY

If the Examiner believes that it would facilitate prosecution, Applicant's Agent, Craig Curtis, may be contacted at (619) 230-6700 or at [ccurtis@gordonrees.com](mailto:ccurtis@gordonrees.com).

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1990 and please credit any excess fees to such deposit account.

Respectfully submitted,

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